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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,304	04/12/2000	YOSHIMI ISU	1163-270P	6441

2292 7590 03/28/2002

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EXAMINER

VO, TUNG T

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 03/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/529,304

Applicant(s)

ISU ET AL.

Examiner

Tung T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5, 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Sekiguchi et al. (US 5, 764,658).

Re claims 1, 9 and 10, Sekiguchi discloses an image decoding apparatus for decoding a first coded bit stream into which first header information image coded data encoded by a first coding scheme (fig. 1), which is a first sequence layer, or for decoding a second coded bit stream (fig. 1), which is a second sequence layer, into which a second header information and

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image coded data encoded in a second coding scheme are multiplexed, where the image decoding apparatus comprises:

coding scheme decision means (2 and 4 of fig. 5) for making a decision as to whether a received coded bit stream based on a controller (10 of fig. 5) is the first code bit stream of the second coded bit stream of the second coded bit stream in response to the first or second header information is determined by a header information decoder (16 of fig. 6);

decoding means (7 of fig. 5) for decoding image coding information on the second coding scheme include in the second header based on the header information decoder (16) by receiving the second coded bit stream;

setting means for setting (15 of fig. 6), by receiving the first coded bit stream, the image coding information on the second coding scheme in response to image coding information on the first coding scheme included in the first header information (fig. 7),,

wherein said image decoding apparatus (7 of fig. 5) decodes the image coded data included in the first coded bit stream or in the second coded bit stream in response to the image coding information set by said setting means (fig. 7) or response to the image coding information decoded by said decoding means;

Re claims 2-5, wherein said coding scheme decision means (fig. 6) makes decision in response to coding scheme identification information for identifying the first or second coding scheme, the coding scheme identification information being included in first header information or second header information (24 of fig. 7), including start code is considered as group start code (fig. 4), wherein a VO start code is considered sequence start code (fig. 4), and a VOL is a slice

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start code (fig. 4). According figure 4 of Sekiguchi, it describes the start codes that are applied to the decoding process.

3. Claims 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Qian et al. (US 6,002,803).

Re claims 6-8, Qian discloses an image coding apparatus (figs. 1 and 2) comprising:
coding means (38 of fig. 2) for encoding first or second video abject;
header information means (48 of fig. 10) for multiplexing into the first coded bit stream,
header information (figs. 5 and 6), header information for ensuring compatibility with a second coded bit stream encoded in a second coding scheme, wherein the header information means having a start code and identification, an order information in each layer,
decoding means (54 of fig. 2) for decoding the first or second bit stream based on the header information means.

4. Claims 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Adolph et al. (US 5,825,430).

Re claims 6-8, Adolph discloses an image coding apparatus (figs. 3 and 4) comprising: coding means (VE1 and VE2) for encoding first or second video abject;

header information means (MUX1, MMUX) for multiplexing into the first coded bit stream, header information, header information for ensuring compatibility with a second coded bit stream encoded in a second coding scheme (figs. 1, 2), wherein the header information means having a start code and identification, an order information in each layer,

decoding means (VD1, VD2) for decoding the first or second bit stream based on the header information means.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kim (US 5,828,425) discloses an apparatus for decoding video data.

Contact Information

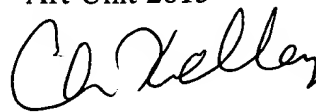
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM- 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1700.

T.Vo
March 19, 2002

Tung T. Vo
Examiner
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CHRIS KELLEY
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